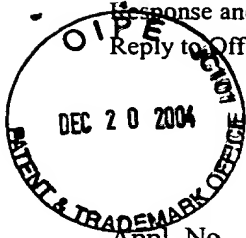


Appl. No. 09/777,044

Response and Election Dated December 15, 2004

Reply to Office action of November 16, 2004



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 09/777,044  
Applicant : Yasufumi Ichikawa  
Filed : February 5, 2001  
TC/A.U. : 2684  
Examiner : Tanmay S. Lele

Confirmation No.8696

Title : WIRELESS COMMUNICATION APPARATUS AND TRANSMISSION  
POWER CONTROL METHOD THEREOF

Docket No. : 33241  
Customer No. : 000116

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**RESPONSE AND ELECTION**

**(In response to Office action mailed November 16, 2004)**

Sir:

This communication is filed in response to the Office action dated November 16, 2004  
(Paper No.10112004). The one month period for responding to the Office action expires on  
December 16, 2004.

The Examiner has required Applicant to elect a single invention for prosecution on the  
merits. Applicant hereby elects to Group II, claims 5-9 and 14-18 without traverse.

I hereby certify that this correspondence is being deposited with  
the United States Postal Service as first class mail in an envelope  
addressed to: Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450 on the date indicated below.

Michael W. Garvey

Name of Attorney for Applicant(s)

December 16, 2004

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Claims 1-4 and 10-13 have been withdrawn as the result of a current restriction requirement.

In view of the examiner's current restriction requirement, Applicant retains the right to present claims 1-4 and 10-13 in a divisional application.

Applicant requested an initialed PTO-1449 confirming consideration of references cited in the IDS filed on September 23, 2004.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 33241.

Respectfully submitted,  
PEARNE & GORDON LLP

By:

  
Michael W. Garvey, Reg. No. 35878

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Date: December 16, 2004